

EXHIBIT

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LAZY S RANCH PROPERTIES vs VALERO TERMINATING AND DISTRIBUTION
Bruce Brookman 05/02/2022

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA

LAZY S RANCH PROPERTIES,)	
LLC, an Oklahoma Limited)	
Liability Company,)	
)	
Plaintiff,)	
v.)	
)	
VALERO TERMINATING AND)	Case No. CIV-19-425-RAW
DISTRIBUTION COMPANY;)	
VALERO PARTNERS OPERATING)	
CO. LLC; and VALERO)	
PARTNERS WYNNEWOOD, LLC,)	
)	
Defendants.)	

VIDEO DEPOSITION OF BRUCE BROOKMAN
TAKEN ON BEHALF OF THE PLAINTIFF
IN OKLAHOMA CITY, OKLAHOMA
ON MAY 2, 2022

REPORTED BY JILL TUCKER SHAW, CSR #1459

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<p style="text-align: right;">Page 170</p> <p>1 sample at the Lazy S Ranch?</p> <p>2 A. Would you repeat that, please?</p> <p>3 Q. Did you ever see anyone from Valero take a</p> <p>4 sample at the Lazy S Ranch?</p> <p>5 A. Yes.</p> <p>6 Q. Who?</p> <p>7 A. Me.</p> <p>8 Q. Other than you.</p> <p>9 A. I don't recall.</p> <p>10 Q. You don't recall?</p> <p>11 A. No, sir.</p> <p>12 Q. And I -- and my question includes anybody</p> <p>13 like a consultant or a representative for Valero.</p> <p>14 Do you remember ever seeing a consultant or</p> <p>15 even a representative from Valero taking a sample?</p> <p>16 A. I don't recall. I remember me, but --</p> <p>17 Q. Well, do you remember when Mr. --</p> <p>18 Mr. Jantzen and I met you out there at the ranch</p> <p>19 probably September or October of last year and we</p> <p>20 took a walk around the ranch with --</p> <p>21 A. Oh, we met at the headquarters? Yes, sir.</p> <p>22 Q. Yes, sir. Did any of Valero's consultants</p> <p>23 take a sample that day?</p> <p>24 A. I can't recall that. I was just there,</p> <p>25 because you informed me that just to show everybody</p>	<p style="text-align: right;">Page 171</p> <p>1 where to go. That's all I paid attention to.</p> <p>2 Q. You don't recall seeing anybody taking a</p> <p>3 sample, do you?</p> <p>4 A. No, sir.</p> <p>5 Q. Since the time you worked on this pipeline,</p> <p>6 do you recall any incident where somebody got killed</p> <p>7 working on this pipeline?</p> <p>8 A. Since the time that I worked on this</p> <p>9 pipeline, do I recall anytime that somebody's got</p> <p>10 killed on this pipeline?</p> <p>11 Q. Yes, sir.</p> <p>12 MR. JANTZEN: Object to the form.</p> <p>13 You can answer.</p> <p>14 THE WITNESS: Okay. No.</p> <p>15 Q. (BY MR. PAGE) Do you recall any incident</p> <p>16 where someone was exposed to liquid nitrogen?</p> <p>17 MR. JANTZEN: Object to form.</p> <p>18 THE WITNESS: Since my watch period since</p> <p>19 2006, no, sir.</p> <p>20 Q. (BY MR. PAGE) Okay. Do you recall -- the</p> <p>21 ranch that's to the north of the Lazy S Ranch, that's</p> <p>22 the Chapman Coffey Ranch --</p> <p>23 A. Yes, sir.</p> <p>24 Q. -- right? Do you recall any fires in a</p> <p>25 cedar forest on that ranch near the pipeline?</p>
<p style="text-align: right;">Page 172</p> <p>1 A. Do I remember any fires on that ranch?</p> <p>2 Q. Yes, near the pipeline.</p> <p>3 A. Yes.</p> <p>4 Q. Tell me about that.</p> <p>5 MR. JANTZEN: Object to form.</p> <p>6 Do you have a question you want to ask him</p> <p>7 about it?</p> <p>8 MR. PAGE: Yeah, I just asked him about it.</p> <p>9 MR. JANTZEN: Well, tell me about it isn't a</p> <p>10 question. Do you have a question about it?</p> <p>11 Q. (BY MR. PAGE) Can you tell me about it?</p> <p>12 MR. JANTZEN: Do you have a specific</p> <p>13 question about it?</p> <p>14 MR. PAGE: What's your objection, Stephen?</p> <p>15 MR. JANTZEN: It's a vague question.</p> <p>16 MR. PAGE: Okay. I -- objection noted.</p> <p>17 Q. (BY MR. PAGE) Can you answer the question?</p> <p>18 MR. JANTZEN: It's a vague question.</p> <p>19 Q. (BY MR. PAGE) Mr. Brookman, can you tell me</p> <p>20 about the fire near the pipeline on the Chapman</p> <p>21 Ranch? Yes or no?</p> <p>22 A. What I'm going to say is a lot of ranches in</p> <p>23 the area burn off to make their grass grow.</p> <p>24 Q. Uh-huh.</p> <p>25 A. There's yards that take place that do that.</p>	<p style="text-align: right;">Page 173</p> <p>1 Q. Uh-huh.</p> <p>2 A. So there could have been something like that</p> <p>3 take place there. There could have been somewhere</p> <p>4 else take place. Where that takes place and happened</p> <p>5 where people burn --</p> <p>6 MR. JANTZEN: I don't -- I don't know if</p> <p>7 you're asking about the source of the fire or how --</p> <p>8 how big --</p> <p>9 THE WITNESS: I mean, I don't know.</p> <p>10 MR. JANTZEN: -- it was --</p> <p>11 THE WITNESS: Did I ever -- have I seen or</p> <p>12 watched? I've seen --</p> <p>13 MR. JANTZEN: -- how tall it was --</p> <p>14 THE WITNESS: -- smoke around.</p> <p>15 MR. JANTZEN: -- how hot it was. I mean,</p> <p>16 what are you asking, David? What color it was?</p> <p>17 Q. (BY MR. PAGE) Do you understand the</p> <p>18 question, Mr. Brookman?</p> <p>19 A. Have I ever seen a fire on the Chapman</p> <p>20 Ranch?</p> <p>21 Q. Near the pipeline right-of-way or on the</p> <p>22 pipe --</p> <p>23 A. I've seen smoke coming off the pastures.</p> <p>24 That's a big ranch back in there.</p> <p>25 Q. Have you ever seen a fire in the cedar</p>

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<p style="text-align: right;">Page 174</p> <p>1 forest on the right-of-way on the Chapman Ranch?</p> <p>2 A. I have not been in there and actually seen</p> <p>3 when a fire was burning on the right-of-way.</p> <p>4 Q. Have you seen the charred trees that turned</p> <p>5 on the right-of-way on the Chapman Coffey Ranch?</p> <p>6 A. I've seen charred right-of-way and pasture.</p> <p>7 Q. Okay. And did you investigate the cause of</p> <p>8 that fire?</p> <p>9 A. Investigate as far as ask questions?</p> <p>10 Q. Yes.</p> <p>11 A. Sure.</p> <p>12 Q. What did you find out?</p> <p>13 A. Pastureland was being burned off. It was</p> <p>14 the time of year where people burn pastures to make</p> <p>15 their grass grow greener and thicker.</p> <p>16 Q. Okay. And was that a problem that they're</p> <p>17 burning pasture on your right-of-way?</p> <p>18 A. It's something that we wouldn't allow if you</p> <p>19 were to come and ask me can I burn this off.</p> <p>20 Q. And why is that?</p> <p>21 A. Whatever pipeline's in an area in general</p> <p>22 form, something could be combustion in the area.</p> <p>23 Q. Did you talk to the landowner or the person</p> <p>24 that occupied the land about whether or not they were</p> <p>25 of the opinion that releases from the pipeline</p>	<p style="text-align: right;">Page 175</p> <p>1 exacerbated that fire? Made it worse?</p> <p>2 A. I need you to explain that again.</p> <p>3 Are you saying that something off a pipeline</p> <p>4 made a fire worse or are you just saying a pasture</p> <p>5 burned? I'm not understanding what you're asking me.</p> <p>6 Q. I'm asking about the former. Did you talk</p> <p>7 to the owner/occupier of the property to determine</p> <p>8 whether or not the pipeline that runs across the</p> <p>9 Chapman Coffey Ranch contributed to the fire in the</p> <p>10 burned area on the right-of-way that you witnessed?</p> <p>11 A. I've never heard that.</p> <p>12 Q. You have never heard that?</p> <p>13 A. No, sir. I've seen pasture burned land, but</p> <p>14 it was after the fact. And the reason you see that</p> <p>15 is because you ride your right-of-way to see</p> <p>16 what happened. Someone can investigate it and find</p> <p>17 out via through whoever that they were burning</p> <p>18 pastures off whether it here, there, this and that.</p> <p>19 But as far as a fire on a pipeline? No, sir.</p> <p>20 Q. Or a fire that was stoked by releases of</p> <p>21 product from that pipeline to the surface --</p> <p>22 A. No, sir. I don't know --</p> <p>23 MR. JANTZEN: Hold on.</p> <p>24 THE WITNESS: -- what we're talking about.</p> <p>25 MR. JANTZEN: Object to form.</p>
<p style="text-align: right;">Page 176</p> <p>1 THE WITNESS: No, sir, I never heard that.</p> <p>2 Q. (BY MR. PAGE) When you found on the Coffey</p> <p>3 Ranch that they burned a cedar forest on the</p> <p>4 right-of-way, what did you tell them?</p> <p>5 A. What did we talk about?</p> <p>6 Q. Yes.</p> <p>7 A. This is away from what you just discussed.</p> <p>8 We were just talking --</p> <p>9 Q. Right.</p> <p>10 A. -- about a pasture that's burned; correct?</p> <p>11 Q. A cedar forest --</p> <p>12 A. Well, I don't know what part to call the</p> <p>13 cedar forest in there.</p> <p>14 Q. If it was on your right-of-way, you</p> <p>15 would know if there's any cedar trees on the</p> <p>16 right-of-way; right?</p> <p>17 A. No, not many, because we right-of-way our</p> <p>18 right-of-way out, sir.</p> <p>19 Q. Okay. So adjacent to your right-of-way --</p> <p>20 A. Okay.</p> <p>21 Q. -- did you ever discuss with them about the</p> <p>22 cedar forest being burned close to the right-of-way?</p> <p>23 A. When I had discussed before, whomever the</p> <p>24 individual was that you have pipeline markers, visual</p> <p>25 pipeline markers, to know your right-of-way, you can</p>	<p style="text-align: right;">Page 177</p> <p>1 see cleared out, but you have markers that you put on</p> <p>2 the pipeline. And it had markers that it got hot and</p> <p>3 melted them. So that's something that you have to</p> <p>4 replace if it's -- they're damaged.</p> <p>5 Q. And did you find pipeline markers on the</p> <p>6 Coffey Chapman Ranch that were melted?</p> <p>7 A. I wasn't there when it's burning, but I've</p> <p>8 seen some that had been bent over or maybe from</p> <p>9 heat --</p> <p>10 Q. Okay.</p> <p>11 A. -- it got them.</p> <p>12 Q. So you saw -- you didn't see the actual fire</p> <p>13 by those markers, but you saw what you thought might</p> <p>14 have affected those markers, because they're bent</p> <p>15 over; right?</p> <p>16 A. Yes, sir, in my opinion.</p> <p>17 Q. Okay. Did you talk to the Chapman Coffey</p> <p>18 people about that?</p> <p>19 A. I had talked to somebody in the past, but</p> <p>20 there's several different names. I don't recall who</p> <p>21 I talked to. Just communicating to them that that's</p> <p>22 pipeline markers, you know, and that's property.</p> <p>23 Q. That...</p> <p>24 A. Could be damaged.</p> <p>25 Q. Okay. It was damaged. It was -- it was</p>